

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION
Docket Number
GRI-01-013

Applicant or Patentee: Raymond J. GORTE et al.
 Serial or Patent No.: 09/914,638
 Filed or Issued: _____
 Title: METHOD FOR SOLID OXIDE FUEL CELL ANODE PREPARATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Gas Research Institute
 ADDRESS OF NONPROFIT ORGANIZATION 1700 South Mount Prospect Road
Des Plaines, Illinois 60018-1804

TYPE OF NONPROFIT ORGANIZATION:

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
 NAME OF STATE _____
 CITATION OF STATUTE _____
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
 NAME OF STATE _____
 CITATION OF STATUTE _____

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.
- ☒ each such person, concern or organization is listed below:

University of Pennsylvania
 3700 Market Street, Suite 300
 Philadelphia, Pennsylvania 19104-3147

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Thomas C. O'Laughlin
 TITLE IN ORGANIZATION OF PERSON SIGNING General Counsel and Secretary
 ADDRESS OF PERSON SIGNING 1700 South Mount Prospect Road, Des Plaines, Illinois 60018-1804

SIGNATURE Thomas C. O'Laughlin DATE Oct. 9, 2001

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
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 Title: METHOD FOR SOLID OXIDE FUEL CELL ANODE PREPARATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION University of Pennsylvania
 ADDRESS OF NONPROFIT ORGANIZATION 3700 Market Street, Suite 300
Philadelphia, Pennsylvania 19104-3147

TYPE OF NONPROFIT ORGANIZATION:

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
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- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
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- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.
☒ each such person, concern or organization is listed below:

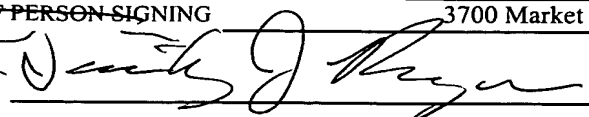
Gas Research Institute
 1700 South Mount Prospect Road
 Des Plaines, Illinois 60018-1804

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Timothy J. Raynor
 TITLE IN ORGANIZATION OF PERSON SIGNING Director, Intellectual Property
 ADDRESS OF PERSON SIGNING 3700 Market Street, Suite 300, Philadelphia, Pennsylvania 19104-3147

SIGNATURE



DATE

11/29/01

COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION

We, the inventors,

1. Name: Raymond J. GORTE
 Residence: Narberth, Pennsylvania
 Post Office Address: 512 Broad Acres Road
Narberth, Pennsylvania 19072 PA
 Citizenship: United States of America
2. Name: John M. VOHS
 Residence: Newtown Square, Pennsylvania
 Post Office Address: 45 Sawgrass Lane
Newtown Square, Pennsylvania 19073 PA
 Citizenship: United States of America
3. Name: Radu CRACIUN
 Residence: Collierville, Tennessee TN
 Post Office Address: 3426 Bailey Creek Cove, South
Collierville, Tennessee 38109
 Citizenship: Romania

declare that we have reviewed and understand the contents of the specification and claims of U.S. Patent Application Serial No. 09/914,638, and we verily believe that we are the original, first and joint inventors or discoverers of the invention or discovery in

METHOD FOR SOLID OXIDE FUEL CELL ANODE PREPARATION

described and claimed in an application for Letters Patent of the United States having Serial No. 09/914,638; that this application in part discloses and claims subject matter disclosed in our earlier filed pending application(s) of which we hereby claim the benefit under 35 U.S.C., Section 120, Serial No. 09/261,324, filed 03 March 1999; that as to the subject matter of this application which is common to any said earlier application(s), we do not know and do not believe that the same was ever known or used in the United States before our invention or discovery thereof; that to the best of our knowledge and belief the invention of said common subject matter has not been in public use or on sale in the United States more than one year prior to the earliest of said application(s) or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the earliest of said application(s), or patented or made the subject of an inventors' certificate in any foreign country prior to the date of the earliest of said application(s) on an application filed by ourselves or our legal representatives or assigns more than twelve months prior to the earliest of said application(s) in this country; and that no application for patent or inventors' certificate on the invention or discovery of said common subject matter

09/914,638-122701

COMBINED DECLARATION, POWER
OF ATTORNEY AND PETITION

has been filed by us or our legal representatives or assigns in any country foreign to the United States, except as follows:

PCT/US00/05735 03 March 2000

that as to the subject matter of this application which is not common to said earlier application(s), we do not know and do not believe that the same was ever known or used in the United States before our invention or discovery thereof; that to the best of our knowledge and belief the invention thereof has not been in public use or on sale in the United States more than one year prior to this application or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application, or patented or made the subject of an inventors' certificate in any foreign country prior to the date of this application on an application filed by ourselves or our legal representatives or assigns more than twelve months prior to this application in this country; that we acknowledge our duty to disclose information of which we are aware which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a); that, insofar as the subject matter of each of the claims of this application is not disclosed in said earlier application(s) in the manner provided by 35 U.S.C. Section 112, first paragraph, we acknowledge our duty to disclose information that is material to examination of this application which occurred between the filing date of said earlier pending application(s) relied upon under 35 U.S.C. 120 and the filing date of this application, and that no application for patent or inventors' certificate on this invention or discovery has been filed by us or our legal representatives or assigns in any country foreign to the United States, except as follows:

None

POWER OF ATTORNEY

We hereby appoint the following attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Thomas W. Speckman	Registration No. 22,617
Douglas H. Pauley	Registration No. 33,295
Maxwell J. Petersen	Registration No. 32,772
Charles C. Kinne	Registration No. 31,631
Mark E. Fejer	Registration No. 34,817
Nick C. Kottis	Registration No. 31,974
Kevin D. Erickson	Registration No. 38,736
Roland W. Norris	Registration No. 32,799
Melanie I. Rauch	Registration No. 40,924
Eric T. Krischke	Registration No. 42,769
Margaret M. Crosby	Registration No. 40,969

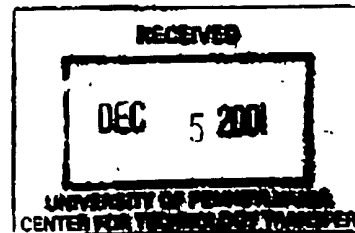
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004463-12701

COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION

We, the inventors,

1. Name: Raymond J. GORTE
Residence: Narberth, Pennsylvania
Post Office Address: 512 Broad Acres Road
Narberth, Pennsylvania 19072
Citizenship: United States of America
2. Name: John M. VOHS
Residence: Newtown Square, Pennsylvania
Post Office Address: 45 Sawgrass Lane
Newtown Square, Pennsylvania 19073
Citizenship: United States of America
3. Name: Radu CRACIUN
Residence: ~~Collierville, Tennessee~~ CARMEL - NY.
Post Office Address: ~~3426 Bailey Creek Cove, South~~ 87 MAJESTIC RIDGE
~~Collierville, Tennessee 38109~~ CARMEL NY - 10512
Citizenship: Romania (Radu Craciun)



declare that we have reviewed and understand the contents of the specification and claims of U.S. Patent Application Serial No. 09/914,638, and we verily believe that we are the original, first and joint inventors or discoverers of the invention or discovery in

METHOD FOR SOLID OXIDE FUEL CELL ANODE PREPARATION

described and claimed in an application for Letters Patent of the United States having Serial No. 09/914,638; that this application in part discloses and claims subject matter disclosed in our earlier filed pending application(s) of which we hereby claim the benefit under 35 U.S.C., Section 120, Serial No. 09/261,324, filed 03 March 1999; that as to the subject matter of this application which is common to any said earlier application(s), we do not know and do not believe that the same was ever known or used in the United States before our invention or discovery thereof; that to the best of our knowledge and belief the invention of said common subject matter has not been in public use or on sale in the United States more than one year prior to the earliest of said application(s) or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the earliest of said application(s), or patented or made the subject of an inventors' certificate in any foreign country prior to the date of the earliest of said application(s) on an application filed by ourselves or our legal representatives or assigns more than twelve months prior to the earliest of said application(s) in this country; and that no application for patent or inventors' certificate on the invention or discovery of said common subject matter

00014538-12201

COMBINED DECLARATION, POWER
OF ATTORNEY AND PETITION

has been filed by us or our legal representatives or assigns in any country foreign to the United States, except as follows:

PCT/US00/05735 03 March 2000

that as to the subject matter of this application which is not common to said earlier application(s), we do not know and do not believe that the same was ever known or used in the United States before our invention or discovery thereof; that to the best of our knowledge and belief the invention thereof has not been in public use or on sale in the United States more than one year prior to this application or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application, or patented or made the subject of an inventors' certificate in any foreign country prior to the date of this application on an application filed by ourselves or our legal representatives or assigns more than twelve months prior to this application in this country; that we acknowledge our duty to disclose information of which we are aware which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a); that, insofar as the subject matter of each of the claims of this application is not disclosed in said earlier application(s) in the manner provided by 35 U.S.C. Section 112, first paragraph, we acknowledge our duty to disclose information that is material to examination of this application which occurred between the filing date of said earlier pending application(s) relied upon under 35 U.S.C. 120 and the filing date of this application, and that no application for patent or inventors' certificate on this invention or discovery has been filed by us or our legal representatives or assigns in any country foreign to the United States, except as follows:

None

POWER OF ATTORNEY

We hereby appoint the following attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

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Charles C. Kinne	Registration No. 31,631
Mark E. Fejer	Registration No. 34,817
Nick C. Kottis	Registration No. 31,974
Kevin D. Erickson	Registration No. 38,736
Roland W. Norris	Registration No. 32,799
Melanie I. Rauch	Registration No. 40,924
Eric T. Krischke	Registration No. 42,769
Margaret M. Crosby	Registration No. 40,969

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COMBINED DECLARATION, POWER
OF ATTORNEY AND PETITION

SEND CORRESPONDENCE TO:

Mark E. Fejer
Pauley Petersen Kinne & Fejer
2800 West Higgins Road; Suite 365
Hoffman Estates, Illinois 60195
FAX (847) 490-1403

DIRECT TELEPHONE CALLS TO:

Mark E. Fejer
(847) 490-1400

PETITION

Wherefore we Pray that Letters Patent be granted to us for the invention or discovery described and claimed in the specification and claims of U.S. Patent Application Serial No. 09/914,638, and we hereby subscribe our names to the specification and claims of U.S. Patent Application Serial No. 09/914,638, Declaration, Power of Attorney and this Petition.

DECLARATION

The undersigned further declare that all statements made herein of their knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

Raymond J. GORTE

Date

John M. VOHS

Dec. 04. 2001

Date

Radu Craciun

Radu CRACIUN

00014638-122701